

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicants have amended claims 16, 21, 26, 28, and 34-39 and claims 17-18 and 22-23 have been canceled. Accordingly, claims 16, 19-21, 24, 26, 28-32, and 34-40 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 16-24, 26, 28-32, 34, and 36-40 under 35 U.S.C. § 103(a) as being unpatentable over Bergstrom, et al. (US 6,131,013) in view of Heinonen, et al. (US 6,363,127). The Applicants have canceled claims 17-18 and 22-23 and amended claims 16, 21, 26, 28, and 34, and 36-39 to better distinguish the claimed invention from Bergstrom and Heinonen. Heinonen provides AGC compensation for fading, not intra-cell or inter-cell interference (see col. 1, lines 56-59 of Heinonen). The Examiner states that Bergstrom (col. 5, lines 40-61) teaches an interference classifier that classifies types of interference, which implicitly includes intra-cell and inter-cell interference. Further, Examiner states, that with respect to claim 17, Bergstrom (col. 5, lines 52-58) implicitly discloses intra-cell interference and inter-cell interference. While Bergstrom may disclose these implicitly, as it discloses numerous types of interference in a scattershot way, Bergstrom does not identify and discriminate between intra-cell interference and inter-cell interference, as does the present invention. As is well known in the art, different types of interference require different solutions for addressing the interference. The present invention provides a solution that can discriminate specifically between intra-cell interference and inter-cell interference and provide a solution tailored for each. The Examiner's consideration of the amended claims is respectfully requested.

Claims 19-20 and 29-32 depend directly or indirectly from amended claim 16 and recite further limitations in combination with the novel elements of claim 16. Claim 24 depends from amended claim 21 and recites further limitations in combination with the novel elements of claim 21. Claim 40 depends from amended claim 39 and recites

further limitations in combination with the novel elements of claim 40. Therefore, the allowance of claims 16, 19-21, 24, 26, 28-32, 34, and 36-40 is respectfully requested.

The Examiner rejected claim 35 under 35 U.S.C. § 103(a) as being unpatentable over Bergstrom in view of Heinonen and Smith, et al. (US 5,809,017). The Applicants have amended claim 35 to better distinguish the claimed invention from Bergstrom, Heinonen and Smith. The Examiner's consideration of the amended claims is respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 16, 19-21, 24, 26, 28-32, 34-40 .

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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